



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,773	11/15/2001	Gregory R. Lloyd	TSQ-001	4625
959	7590	11/16/2005	EXAMINER	
LAHIVE & COCKFIELD, LLP. 28 STATE STREET BOSTON, MA 02109			ABEL JALIL, NEVEEN	
			ART UNIT	PAPER NUMBER
			2165	

DATE MAILED: 11/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/003,773

Applicant(s)

LLOYD ET AL.

Examiner

Neveen Abel-Jalil

Art Unit

2165

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 24-August-2005 has been entered.
2. The amendment filed on 24-August-2005 has been received and entered. Claims 1-34 are now pending.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. Claims 1-34 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 4, line 3, the recitation of "other entries contain segments" is vague and indefinite. It is unclear to the Examiner which other entries or segments is being referenced here failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 5, line 3, the recitation of "that references entries" is vague and confusing. It is unclear to the Examiner which references or how the entries are being referenced in order to be searched therefore failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 10, line 5, the recitation of "which labels" is vague and indefinite. It is unclear to the Examiner what is meant by the recited portion therefore failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 24, the recitation of "a complete document" is vague and unclear. It is unclear to the Examiner what other forms of document due exist and how being "a complete document" is different then any other therefore failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the data" in line 6. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the time" in line 12. There is insufficient antecedent basis for this limitation in the claim.

Claim 2 recites the limitation "the metastructure" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim 2 recites the limitation "said item IDs" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim 3 recites the limitation "the parsed data" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claims 4, and 6 recite the limitation "said label". There is insufficient antecedent basis for this limitation in the claim. Although, "a label" was first recited in Independent claim 1, it was introduced under an optional "or" clause thereby raising the question to whether it was necessary for the scope of the invention; therefore, having the option for it not to be selected.

Claims 5, and 8 recite the limitation "the results" in line 3, respectively. There is insufficient antecedent basis for this limitation in the claim.

Claim 9 recites the limitation "said segment" in line 2 and "said replacement label" in line 4. There is insufficient antecedent basis for these limitations in the claim.

Claim 11 recites the limitation "the net effect" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 12 recites the limitation "the end result" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 12 recites the limitation "the addition" in line 5. There is insufficient antecedent basis for this limitation in the claim.

Claim 14 recites the limitation "the parsed data" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim 25 recites the limitation "the time" in line 5. There is insufficient antecedent basis for this limitation in the claim.

Claim 26 recites the limitation "the time" in line 11. There is insufficient antecedent basis for this limitation in the claim.

Claim 30 recites the limitation "the time" in line 6. There is insufficient antecedent basis for this limitation in the claim.

Claim 31 recites the limitation "the time" in line 7. There is insufficient antecedent basis for this limitation in the claim.

Claim 32 recites the limitation "the altering" in line 1, and "the removal" in line 2. There is insufficient antecedent basis for these limitations in the claim.

Claim 33 recites the limitation "the parsed data" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-34 are rejected under 35 U.S.C. 102(b) as being anticipated by Rivette et al. (U.S. Patent No. 5,806,079).

As to claim 1, Rivette et al. discloses in an electronic device, a method, comprising the steps of:

providing a plurality of entries containing data (See Figure 3B);

assigning an entry identification number ("entry ID") to each of said entries (See column 25, lines 19-65, wherein "entry ID" reads on "identifier"),

each said entry ID being a unique value (See column 25, lines 19-65, wherein "entry ID" reads on "identifier");

storing each entry indexed by its entry ID (See column 25, lines 19-65, wherein “entry ID” reads on “identifier”);

altering the data in a selected one of the plurality of entries and a label associated with a selected one of the plurality of entries to create a new entry, said new entry having an entry ID assigned (See Figure 3B, Figure 7B, also see column 29, lines 24-46);

cross-indexing said new entry with said selected entry (See column 30, lines 42-65);

updating a meta structure associated with said selected entry to reflect relationship changes caused by said new entry, said updating including the time said selected entry was altered (See column 30, lines 22-36); and

displaying said new entry in response to requests for said selected entry (See column 29, lines 24-46).

As to claim 2, Rivette et al. discloses comprising the further steps of:

parsing said selected entry into segments (See column 7, lines 45-65);

assigning an item ID having a unique value to each of said segments (See column 25, lines 19-65, wherein “entry ID” reads on “identifier”); and

updating the meta structure of said selected entry to include a reference to said item IDs (See column 30, lines 22-36).

As to claim 3, Rivette et al. discloses comprising the further step of:

appending the parsed data from said selected entry to a journal, said journal being a data structure located in permanent memory (See column 9, lines 3-16).

As to claim 4, Rivette et al. discloses comprising the further step of:

attaching a label to at least one of said segments, wherein said label is cross indexed with said segment, said selected entry and with a data structure referencing other entries containing segments with said label (See column 7, lines 41-52, wherein “label” reads on “note”).

As to claim 5, Rivette et al. discloses comprising the further steps of:

searching said plurality of entries based on said label (See column 25, lines 1-9); and displaying the results of said search on a web page that references entries from said plurality of entries that contain said label (See column 29, lines 24-46).

As to claim 6, Rivette et al. discloses comprising the further step of:

attaching a user-provided label to a user-defined part of said selected entry, said label being cross-indexed with said user-defined part, said selected entry and with a data structure referencing other entries containing said label (See column 7, lines 41-52, wherein “label” reads on “note”).

As to claim 7, Rivette et al. discloses comprising the further step of:

displaying a web page containing only said user-defined part of said selected entry (See column 36, lines 39-54).

Art Unit: 2165

As to claim 8, Rivette et al. discloses searching said plurality of entries based on said label (See column 21, lines 15-36, also see column 27, lines 48-56); and

displaying the results of said search on a web page, wherein said web page references all of the entries from said plurality of entries that contain said label (See column 21, lines 15-36, also see column 27, lines 48-56).

As to claim 14, Rivette et al. discloses further:

providing a permanent memory location (See column 31, lines 4-34)

parsing the data contained within said selected entry (See column 7, lines 45-65); and

storing the parsed data in a permanent memory location (See column 31, lines 4-34).

As to claim 15, Rivette et al. discloses comprising the further steps of:

storing a reference to at least one of, another entry, an update to said selected entry, and a labeling of said selected entry, in a meta structure stored in a data structure in said permanent memory location (See column 31, lines 4-34).

As to claim 16, Rivette et al. discloses wherein said meta structure includes a grammar object, said grammar object expressing a ternary relationship among said data (See column 9, lines 9-16).

As to claim 17, Rivette et al. discloses wherein said selected entry is an email message (See column 12, lines 65-67).

As to claim 18, Rivette et al. discloses wherein said selected entry is an attachment to an email message (See column 32, lines 10-32).

As to claim 19, Rivette et al. discloses wherein said selected entry is a web page (See column 32, lines 10-32).

As to claim 20, Rivette et al. discloses wherein said selected entry is user-input text (See column 11, lines 12-21, wherein “entry” reads on “object”).

As to claim 21, Rivette et al. discloses wherein said electronic device is interfaced with a network (See column 24, lines 37-44).

As to claim 22, Rivette et al. discloses wherein said data contained in said selected entry is audio data (See column 11, lines 12-21, wherein “entry” reads on “object”).

As to claim 23, Rivette et al. discloses wherein said data contained in said selected entry is video data (See column 11, lines 12-21, wherein “entry” reads on “object”).

As to claim 24, Rivette et al. discloses wherein said entry is a complete document (See column 12, lines 65-67).

As to claim 25, Rivette et al. discloses in a network, a method comprising the steps of:
storing a selected entry (See column 16, lines 7-19);
updating said selected entry to create a new entry (See column 14, lines 35-50);
cross-indexing said selected entry to said new entry, the new entry indicating the time of
the updating (See column 14, lines 35-50, also see column 21, lines 29-36, wherein “label” reads
on “notes”); and
displaying said new entry automatically via a document publishing system when said
selected entry is selected by a user, said displayed new entry containing references back to said
selected entry (See column 11, lines 43-65).

As to claim 26, Rivette et al. discloses comprising the further steps of:
dividing said selected entries into user defined segments (See column 25, lines 19-65,
wherein “entry ID” reads on “identifier”);
attaching a label to at least one of said segments (See column 7, lines 41-52, wherein
“label” reads on “note”), said label cross-indexed with said segment, said selected entry and an
index holding references to entries containing said label (See column 7, lines 41-52, wherein
“label” reads on “note”).

As to claim 27, Rivette et al. discloses in an electronic device, a medium holding
computer-executable instructions for a method, said method, comprising the steps of:
providing a plurality of entries containing data (See column 16, lines 7-19);

Art Unit: 2165

assigning an entry identification number ("entry ID") to each of said entries, said entry ID being a unique value See column 25, lines 19-65, wherein "entry ID" reads on "identifier");

storing each entry indexed by its entry ID (See column 25, lines 19-65, wherein "entry ID" reads on "identifier");

altering data in a selected one of said plurality of entries or a label associated with a selected one of the plurality of entries to create a new entry, said new entry having an entry ID assigned, the new entry cross-indexed with said selected entry (See column 29, lines 13-37, also see column 30, lines 22-27);

updating a meta structure associated with said selected entry to indicate the time said selected entry was altered (See column 14, lines 35-50, also see column 21, lines 29-36, wherein "label" reads on "notes", also see column 25, lines 42-65, wherein "meta" reads on "descriptor"); and

displaying said new entry in response to requests for said selected entry (See column 21, lines 55-61).

As to claim 28, Rivette et al. discloses wherein said method comprises the further steps of:

parsing said selected entry into segments (See column 25, lines 19-65, wherein "entry ID" reads on "identifier");

assigning an item ID having a unique value to each of said segments See column 25, lines 19-65, wherein "entry ID" reads on "identifier"); and

updating the meta structure of said selected entry to include a reference to said item ID
(See column 25, lines 19-65, wherein “entry ID” reads on “identifier”).

As to claim 29, Rivette et al. discloses wherein said method comprises the further step of:
attaching a label to at least one of said segments (See column 3, lines 30-31, wherein
“label” reads on “note”), said label cross-indexed with said segment, said selected entry and with
a table of other entries containing segments with said label (See column 21, lines 38-47).

As to claim 30, Rivette et al. discloses in an electronic device, a method comprising the
steps of:

providing a plurality of entries containing data, said data including labels referencing
segments of said data (See column 25, lines 19-65, wherein “entry ID” reads on “identifier”);

cross-referencing a selected one of said plurality of entries with at least one different
version of said selected entry (See column 29, lines 13-37);

storing in a data structure associated with said selected entry the time said labels became
associated with said selected entry (See column 21, lines 29-36, wherein “label” reads on
“notes”);

storing in said data structure associated with said selected entry the time said at least one
different version became associated with said selected entry (See column 21, lines 29-36,
wherein “label” reads on “notes”);

selecting a time slice to apply to a selected entry, said time slice corresponding to
a period of time (See column 21, lines 29-36, wherein “label” reads on “notes”);

selecting a perspective to apply to said selected entry, said perspective being a date reference controlling which labels to display with said entry (See column 30, lines 22-50); and

displaying said selected entry constrained by said time slice and said perspective (See column 21, lines 29-36, wherein “label” reads on “notes”).

As to claim 31, Rivette et al. discloses in an electronic device, a method, comprising the steps of:

providing a plurality of entries containing data, said data including labels cross-indexed with segments of said data (See column 25, lines 19-65, wherein “entry ID” reads on “identifier”);

searching said plurality of entries based on said label (See column 25, lines 1-9); and displaying the results of said search in a document referencing other entries from said plurality of entries that contain said label (See column 29, lines 24-46), each of the entries indicating the time the label became affixed to the entry (See column 21, lines 29-36, wherein “label” reads on “notes”).

As to claim 32, Rivette et al. discloses wherein the altering of the label is the removal of the label (See column 9, lines 3-16).

As to claim 33, Rivette et al. discloses wherein the altering of a label is the addition of a label (See column 9, lines 3-16).

As to claim 34, Rivette et al. discloses comprising the further steps of:
removing a label associated with one of the plurality of entries (See column 9, lines 3-16); and
adding a label associated with said one of the plurality of entries (See column 9, lines 3-16).

Allowable Subject Matter

7. Claims 9-13 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Response to Arguments

8. Applicant's arguments with respect to claims 1-34 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ainsbury et al. (U.S. Patent No. 6,078,924) teaches gathering information in a user's library to be labeled, published, and shared.

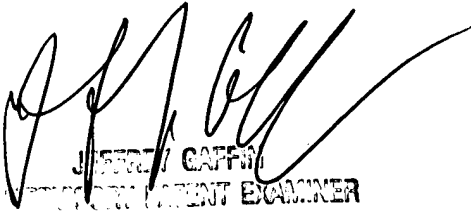
Gonzalez (U.S. Pub. No. 2002/0152087 A1) teaches host website for digitally labeled websites.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Neveen Abel-Jalil whose telephone number is 571-272-4074. The examiner can normally be reached on 8:30AM-5:30PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Gaffin can be reached on 571-272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Neveen Abel-Jalil
November 14, 2005


JEFFREY GAFFIN
SUPERVISOR
PATENT EXAMINER
NOV 14 2005